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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,935	05/22/2001	Christoph A. Aktas	2001P08524US	9993

7590 12/20/2005

Siemens Corporation
Att: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

WOZNIAK, JAMES S

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,935

Applicant(s)

AKTAS ET AL.

Examiner

James S. Wozniak

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-11, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 7/11/2005, the applicant has submitted an amendment, filed 10/11/2005, amending claims 1, 7, 9, and 15, while canceling claims 17, 19-20, and 22 and arguing to traverse the art rejection based on the limitation regarding converting messages only if they are determined to be urgent based on message priority and sender information (*Amendment, pages 5-6*). The applicant's arguments have been fully considered but are moot with respect to the new grounds of rejection, necessitated by the claim amendments and in view of Takahashi et al (*U.S. Patent: 6,442,589*) and Grefenstette (*U.S. Patent: 6,289,304*).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2 and 9-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis et al (*U.S. Patent: 5,802,314*) in view of Takahashi et al (*U.S. Patent: 6,442,589*), and further in view of Grefenstette (*U.S. Patent: 6,289,304*).

With respect to **Claims 1 and 9**, Tullis discloses:

A multimedia mailbox system and associated management method, comprising:

A message store for storing multimedia messages (*RAM or fixed disk for storing multimedia messages, Col. 7, Lines 29-42, and Fig. 3A.*);

A plurality of data converters for converting messages in one medium to messages in another medium (*multiple media conversions, Col. 14, Line 25- Col. 15, Line 6*).

Although the message conversion method disclosed by Tullis is performed according to user preference (*desired conversion, Col. 15, Lines 2-6*), Tullis does not specifically suggest utilizing user parameters including priority and sender information and converting only messages that are determined to be urgent, however, Takahashi teaches a system and method for converting the media format of messages that performs voice synthesis only if an e-mail message is urgent and from a specific sender (*Col. 7, Line 37- Col. 8, Line 39*).

Tullis and Takahashi are analogous art because they are from a similar field of endeavor in text-to-speech conversion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Tullis with the system that performs voice synthesis only if an e-mail message is urgent as taught by Takahashi in order to provide a means for automatically sorting electronic messages (*Takahashi, Col. 3, Lines 15-17*).

Although Takahashi suggests message summarization (*Col. 8, Lines 1-11*), Tullis in view of Takashi do not specifically suggest user-defined summarization rules, however Grefenstette teaches such user-defined rules (*Col. 3, Lines 40-62; Col. 8, Lines 17-35; and Col. 9, Lines 38-59*).

Tullis, Takahashi, and Grefenstette are analogous art because they are from a similar field of endeavor in text-to-speech conversion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Tullis in view of Takahashi with the user-defined summarization rules taught by Grefenstette in order to provide a user-defined means for implementing automatic text summarization and obtaining an audio summary of the text data (*Grefenstette, Col. 2, Lines 15-56; Col. 3, Lines 63-67*).

With respect to **Claims 2 and 10**, Tullis recites:

The plurality of data converters includes at least two selected from the group consisting of a text to speech converter, a speech to text converter, and a fax to text converter (*speech synthesis, speech-to-text conversion, and image-to-text conversion, Col. 14, Line 25- Col. 15, Line 6*).

4. **Claims 3, 7-8, 11, and 15-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis et al in view of Takahashi et al, in view of Grefenstette, and further in view of Horowitz et al (*U.S. Patent: 6,236,987*).

With respect to **Claims 3 and 11**, Tullis in view of Takahashi and further in view of Grefenstette teaches the multimedia messaging system and associated management method utilizing user-defined parameters in message media conversion as applied to Claims 1 and 9. Although Tullis does teach a means for searching a message database (*Col. 2, Lines 36-41*), the search is not based upon linguistics, nor is any linguistic relation made between the messages, however Horowitz discloses:

Means for linguistically based searching of multiple message types and for linguistically relating multiple messages of different type (*semantically based search of multimedia documents semantically grouped into topics, Col. 3, Lines 13-25, Col. 10, Line 62- Col. 11, Line 5, and Fig. 2*).

Tullis, Takahashi, Grefenstette, and Horowitz are analogous art because they are from a similar field of endeavor in text document processing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the teachings of Tullis in view of Takahashi and further in view of Grefenstette with the multimedia messaging system as taught by Horowitz to provide a means to easily organize and navigate multimedia documents (*Horowitz, Col. 2, Lines 55-63*), thus enabling more efficient document access in a multimedia messaging system.

Claims 7 and 15 contain subject matter similar to Claims 1, 3, 9, and 11, and thus, are rejected for the same reasons.

Claims 8 and 16 contain subject matter similar to Claims 2 and 10, and thus, are rejected for the same reasons.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Frantz (*U.S. Patent: 6,003,070*)- teaches a text-to-speech converter that allows a recipient to receive a critical e-mail through a telephone link.


Peters (*U.S. Patent: 6,601,093*)- teaches a means for automatic dialing and conversion of a message when the message is determined to be urgent.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
11/10/2005



W. R. YOUNG
PRIMARY EXAMINER